

FISCAL NOTE

Bill #: SB0018

Title: Involuntary commitment and Youth Court expenses that are District Court Expenses

Primary Sponsor: Grimes, D

Status: As Introduced

Sponsor signature	Date	Chuck Swysgood, Budget Director	Date
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Fiscal Summary

	<u>FY 2004 Difference</u>	<u>FY 2005 Difference</u>
Net Impact on General Fund Balance:	\$0	\$0

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|---|--|
| <input type="checkbox"/> Significant Local Gov. Impact | <input type="checkbox"/> Technical Concerns |
| <input type="checkbox"/> Included in the Executive Budget | <input type="checkbox"/> Significant Long-Term Impacts |
| <input type="checkbox"/> Dedicated Revenue Form Attached | <input type="checkbox"/> Needs to be included in HB 2 |

Fiscal Analysis

ASSUMPTIONS:

1. Section 1, amendment to 3-5-901 (1)(i) and (j), MCA: This amendment moves language from (i) and outlines the responsibility for specific costs of youth court and youth division offices in (j).
2. Section 1, amendment to 3-5-901 (4)(a)(ii), MCA, and Section 2, 53-21-116, MCA: Section 3-5-901 (3)(b), MCA, conflicts with section 53-21-116, MCA, regarding payment for court appointed counsel in involuntary commitment proceedings. Under District Court Council policy, the state currently reimburses expenditures for court appointed counsel in involuntary commitment proceedings. (The state is responsible for court appointed counsel in other indigent defense proceedings). This amendment does not shift costs between county and state.
3. Section 3, amendment to 53-21-132, MCA: This amendment rewords statute and outlines specific precommitment expenditures in involuntary commitment proceedings. Psychiatric examinations are currently county expenses under 53-21-132, MCA, and are required in order to have expert witness testimony. This amendment rewords statute and associates precommitment expenses in involuntary commitment proceedings (transportation, psychiatric examinations, and expert witness testimony) as county expenses. It also restricts an expert witness from collecting both from the county and the state. This amendment does not shift costs between county and state.
4. Section 4, repealer of 41-5-111, MCA: Section 41-5-111, MCA, contains redundant language outlined currently in 3-5-901(1)(e), MCA. It also only generally outlines responsibilities for expenses that other statute specifies in greater detail, such as evaluation costs and transcript fees. Repealing this statute does not shift costs from one entity to another, nor does it impact policies adopted by the District Court Council.
5. Therefore, this bill has no fiscal impact.